



**New Mexico  
Public Education Department**

***INCLUDE DYSLEXIA IN  
DISABILITIES (HJM 43)***

**LESC**  
**December 2009**

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## **House Joint Memorial 43 Preliminary Report**

### Background

House Joint Memorial 43 (amended) requested that the Public Education Department include dyslexia in the state definition of disabilities for the purpose of interpreting the Federal Individuals with Disabilities Education Act (IDEA), to identify effective interventions for students with dyslexia and to establish certification criteria for specialists who assist students with dyslexia.

Information for this report was collected through the Student Teacher Accountability Reporting System (STARS), a facilitated discussion with the State IDEA Advisory Panel on December 3, 2009 (see attachment 1) and a survey of school districts.

### Data Collection

Beginning with the 2009 – 2010 school year, school districts were required to report the number of students identified with dyslexia under the specific learning disability category in accordance with 34 CFR § 300.8(b)(10). Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, read, write, spell or to do mathematical calculations including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia.

The numbers of students were to be reported in the Student Teacher Accountability Reporting System (STARS) each reporting period. The information is submitted by the districts through the Special Education Snapshot Template. Training on the data collection was provided at the Spring and Fall STARS conference and the Special Education Directors' academy in September 2009.

The PED's SEB and I.T. staffs are in the process of working with districts on submitting or correcting their December 1st membership data. Submissions or re-submissions and corrections can be made until December 18<sup>th</sup>. After all of the submissions are completed, the final numbers will be available.

### Findings and Additional Information

Members of the State Advisory and schools districts surveyed report the following:

The current definition of dyslexia under Specific Learning Disability (SLD) is utilized in the districts. Students identified with dyslexia are considered to have a SLD and are reported as such.



Tier II interventions of students who are being supported academically through the Three-Tier Model of Student Intervention, prior to a referral for a special education evaluation, include the following:

- Use of the Orton Gillingham method to teach reading
- Read 180 by Scholastic
- Multi-sensory reading practices in kindergarten and first grade
- Lindamood-Bell method of teaching reading
- Pyramid Intervention Focus Model (grades K – 12)
- Using positions created within the districts, such as reading teachers and reading specialists, to work with the students.

Some students are provided services through a Tier II intervention under a Section 504 plan. The majority of students identified as having dyslexia are provided special education services through an Individualized Education Program (IEP).

Students are not screened for dyslexia as part of the Tier II interventions. Students suspected of having a learning disability are not automatically screened for dyslexia as part of the Tier III evaluation process. Students are identified as having specific learning disabilities that includes dyslexia through the Tier III special education evaluation process. The following instruments are used:

- Comprehensive Test of Phonological Processing (CTOPP)
- Woodcock Johnson III Test of Achievement
- Weschler Individual Achievement Test (WIAT)
- Dual Discrepancy Process in grades K – 3 beginning July 1, 2009.

#### Licensure Information

6.64.3.8 of the New Mexico Administrative Code (NMAC) sets the requirements for beginning reading teachers and teachers seeking an endorsement in reading. The reading teacher competencies set in 6.64.3.9 include competencies in language development, cognition and learning; knowledge of the reading process; knowledge of effective instruction; and knowledge of instructional strategies, which incorporates methods that are effective in teaching students who have dyslexia.

Subsection J(2) of 6.61.2.10 of the NMAC sets the requirements for K – 8 teachers and Subsection D(8) of 6.61.6.10 of the NMAC sets the requirements for Pre-K – 12 special education teachers. The competencies include methods that are effective in teaching students with dyslexia.

#### Recommendations

The following recommendations have been provided to the Public Education Department by the State IDEA Advisory Panel and the districts that were surveyed.



- Do not have Dyslexia as its own disability category. Keep it under in IDEA under SLD.
- Districts should follow the Specific Learning Disability section of New Mexico Technical Evaluation Assessment Manual (NM TEAM). Students must meet the criteria for SLD and demonstrate a need for special education services. Those students who do not meet the criteria should be referred back to the Student Assistance Team (SAT) for Tier II interventions and services.
- Students who qualify with a SLD that includes dyslexia should be provided services through Tier III (special education with an Individualized Education Program).
- Provide training for school districts on how to “ramp up” their Tier II Interventions to work with all students who are struggling in reading.
- Provide training for teachers on how to teach students who are struggling in reading that includes strategies for students with dyslexia.
- Provide additional training for SATs on how to recognize reading difficulties and recommend interventions.
- Teachers should not identify students with dyslexia through a screening method. The students should be identified by a diagnostician.
- Have a group of diagnosticians develop training for other diagnosticians on how to recognize dyslexia as part of the special education evaluation process.





## Attachment 1

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# NEWS RELEASE

For Immediate Release: November 16, 2009

## Community Invited to IDEA Meetings in Ruidoso

SANTA FE - The Special Education Bureau of the Public Education Department would like to invite members of the community, parents, and school district personnel to attend the December 3 and 4, 2009 Individuals with Disabilities Education Act (IDEA) Advisory Panel meeting at the Region IX Education Cooperative, 1400 Sudderth Drive, Ruidoso, NM 88345, (575) 257-2368.

The meetings will be held from 8:30 A.M. to 4:45 P.M. on December 3, and 8:00 A.M. – 12:00 P.M. on December 4, 2009.

The following subjects will be discussed:

- On December 3, 2009, the New Mexico State IDEA Advisory Panel will give input regarding the State Performance Plan/Annual Performance Report Indicators and have a facilitated discussion on Dyslexia.
- On December 4, 2009, the New Mexico State IDEA Advisory Panel will meet in their subcommittees and work on the goals and objectives for the 2009 – 2010 term.

The Individuals with Disabilities Education Act (IDEA) requires each state to create a state advisory panel. New Mexico has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State. The Special Education Bureau encourages community input for the overall improvement of educational success.

The IDEA Advisory Panel agenda can be found on the main page of the Special Education Bureau website <http://www.ped.state.nm.us/seo/index.htm>. For information contact Leah Erickson at (505) 827-1458 or via email [leah.erickson@state.nm.us](mailto:leah.erickson@state.nm.us).

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